

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

FILE

OFFICE OF
MANAGING DIRECTOR

December 20, 2004

Dan J. Alpert, Esq.
Counsel for Diamond Broadcasting
Corporation
2120 N. 21st Road
Suite 400
Arlington, VA 22201

Re: Request for Waiver of FY 2004
Regulatory Fee
Fee Control No. 00000RR0G-04-087

Dear Sir:

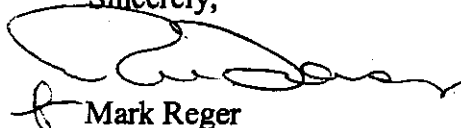
This is in response to the petition for a waiver of the Fiscal Year 2004 (FY 2004) regulatory fee, that you filed on behalf of Diamond Broadcasting Corporation (Diamond Broadcasting), licensee of Radio Station KFIF (AM), formerly KENT (AM), Pearl City, Hawaii. You request a waiver, asserting that KFIF is dark (not operating).

KFIF is dark pursuant to a grant of temporary authority from the Commission. Our records confirm that the station has been silent since January 1, 2004. In Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12759, 12762 (1995), the Commission, noting that dark stations are generally either without or with greatly reduced revenues, and that imposition of a regulatory fee could be an impediment to the restoration of service by dark stations, held that it would waive the regulatory fee for stations which have ceased operation.

Accordingly, your request is granted and the FY 2004 regulatory fee for Diamond Broadcasting, as licensee of AM Radio Station KFIF, is waived. The waiver shall remain in effect until the station is reactivated.

If you have any questions concerning this letter, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,


Mark Reger
Chief Financial Officer

CLOSE OUT:

The Law Office of

Dan J. Alpert

2120 N. 21st Rd.
Suite 400
Arlington, VA 22201

(703) 243-8690

(703) 243-8692 (FAX)

August 16, 2004

RECEIVED - FCC

AUG 16 2004

**Federal Communication Commission
Bureau/Office**

Mr. Andrew S. Fishel
Managing Director
Federal Communications Commission
445 12th St. S.W.
Washington, DC 20554

**Re: Station KFIF(AM) (formerly
KENT(AM))
Facility No. 26441
Pearl City, HI**

Dear Mr. Fishel:

Diamond Broadcasting Corporation, by its attorney, hereby requests a waiver of its 2004 Annual Regulatory Fee. In support thereof, the following is stated.

In the Memorandum Opinion and Order issued with respect to Implementation of Section 9 of the Communications Act, FCC 95-257 (June 22, 1995), the FCC recognized that waivers of the annual Regulatory Fee was appropriate in certain instances, and specifically determined that it would grant waivers to licensees of broadcast stations which are dark (not operating). The Commission recognized that an imposition of regulatory fees could be an impediment to the restoration of broadcast service, and that such it would be unnecessary for such stations to make any further showing to warrant grant of a waiver. Id. at ¶ 15.

Diamond Broadcasting Corporation is licensee of Station KFIF(AM), Pearl City, Hawaii. The station currently is dark. Attachment 1. Accordingly, a waiver of the 2004 Annual Regulatory Fee is appropriate.

WHEREFORE, it respectfully is requested that this request be granted.

Very truly yours,

Dan J. Alpert

Counsel for Diamond Broadcasting Corporation

**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554**

**IN REPLY REFER TO:
1800B3-ALM**

February 10, 2004

Dan J. Alpert, Esquire
2120 North 21st Road
Suite 400
Arlington, Virginia 22201

**In re: KENT(AM), Pearl City, HI
(formerly KJPN(AM))
Facility ID No. 26441
Silent Since January 1, 2004
Request For Special Temporary
Authority To Remain Silent**

Dear Mr. Alpert:

This letter concerns your request, filed on February 3, 2004, and supplemented on February 6, 2004, on behalf of Diamond Broadcasting Corp. ("Diamond"), for Special Temporary Authority to permit AM Station KENT to remain silent.

You state that the station went silent on January 1, 2004, in order to complete installation and testing of diplexing equipment to be used in conjunction with KJPN(AM), formerly KENT(AM), Honolulu, Hawaii. Diamond's request includes the appropriate certification regarding Section 5301 of the Anti-Drug Abuse Act of 1988.¹

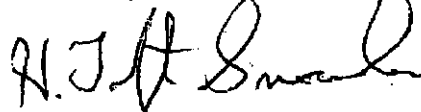
Diamond's request will be granted. Accordingly, Special Temporary Authority is granted to permit AM Station KENT(AM) to remain silent for a period not to one hundred and eighty days from the date of this letter. **Notwithstanding the grant of this special temporary authority, the broadcast license for KENT(AM) will automatically expire as a matter of law if broadcast operations do not commence by**

¹ In the event extension of special temporary authority is sought, please renew the certification in this matter.

12:01 a.m. January 2, 2005.² See Section 312(g) of the Communications Act, 47 U.S.C. Section 312(g).

The station's silent status does not suspend the licensee's obligation to comply with all other relevant Commission rules, including the filing, when appropriate, of applications for renewal of broadcast license. Finally, we note that it is imperative to the safety of air navigation that any prescribed painting and illumination of the station's tower shall be maintained. See 47 C.F.R. Sections 17.6 and 73.1740(a)(4).

Sincerely,

A handwritten signature in dark ink, appearing to read "H. Taft Snowdon", written in a cursive style.

H. Taft Snowdon
Supervisory Attorney
Audio Division
Media Bureau

²Notification of resumption of broadcast operations must be mailed to:

Federal Communications Commission
Attn: 1800B3-ALM, Room 2-B450
445 12th Street, S.W.
Washington, D.C. 20554